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PATENT



ATTORNEY DOCKET NO. TRAD-0001C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lawrence Porter, *et al.*

Serial No.: 09/769,838

Filed: January 25, 2001

For: ANTENNA FOR ELECTRIC METER AND METHOD OF MANUFACTURE THEREOF

Group No.: 2821

Examiner: Unknown

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TC 2000 MAIL ROOM

Commissioner of Patents  
and Trademarks  
Washington, D. C. 20231

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Peggy C. Gray  
(Printed or typed name of person signing the certificate)  
Peggy C. Gray  
(Signature of the person signing the certificate)

Sir:

**PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT**  
**UNDER 37 CFR §1.102 and MPEP ¶708.02**

The Applicants hereby petition to make this application special because of actual infringement.

1. Accompanying this petition is:

(a) a Declaration of Facts in Support of Petition to Make Special Because of Actual

Infringement; and

(b) a Declaration by Attorney in Support of Petition to Make Special Because of Actual Infringement.

2. Fee

The fee required is to be paid by:

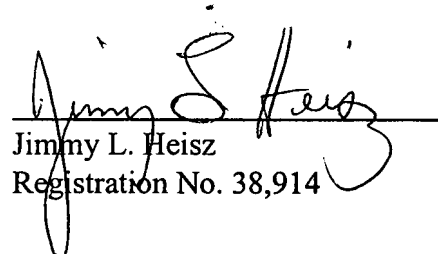
☒ the attached check for \$130.00.

☐ charging account \_\_\_\_\_ the sum of \$130.00.

A duplicate of this petition is attached.

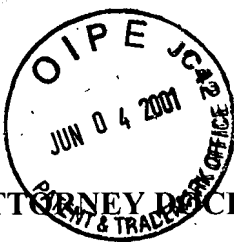
Respectfully submitted,

HITT GAINES & BOISBRUN, P.C.

  
Jimmy L. Heisz  
Registration No. 38,914

Date: June 1, 2001

P.O. Box 832570  
Richardson, Texas 75083  
(972) 480-8800



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Peggy C. Gray  
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Sir:

**DECLARATION OF ATTORNEY IN SUPPORT OF PETITION TO MAKE SPECIAL  
BECAUSE OF ACTUAL INFRINGEMENT UNDER 37 CFR §1.102 and MPEP §708.02**

I, Jimmy L. Heisz, 275 West Campbell Rd., Suite 225, Richardson, Texas 75280, Reg. No.  
38,914, Tel. No. 972-480-8800, am the attorney for the applicant in this case and make the following  
declarations:

1. That I have made a rigid comparison of the alleged infringing device referred to in the accompanying declaration of Steve Clegg with the claims of this application.

2. That, in my opinion, Claims 1 and 15 on file in this application are unquestionably infringed.

3. That I

☐ have made a search of

☐ have caused to be made a search of

☒ have a good knowledge of

the pertinent prior art.

All such material art is provided to the Examiner as

☒ having been filed

☐ being supplemented

☐ being filed

in a respective Information Disclosure Statement.

4. That I believe all the claims in this application

☒ as on file

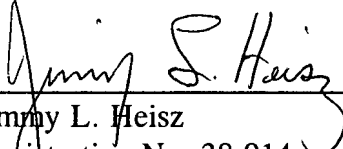
☐ as on file resulting from the attached amendment

are allowable.

5. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

June 1, 2001

  
Jimmy L. Heisz  
Registration No. 38,914



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Sir:

**DECLARATION OF FACTS IN SUPPORT OF PETITION TO MAKE SPECIAL  
BECAUSE OF ACTUAL INFRINGEMENT UNDER 37 CFR §1.102 and MPEP ¶708.02**

My name is Edward John Gleibs, III, and I am Executive Vice President of TransData, Inc., 885 E. Collins Blvd., #105, Richardson, Texas 75081. TransData, Inc. has an interest in the above identified invention because it is the owner of the application. I hereby declare the following:

1. SmartSynch, Inc., P.O. Box 12250, Jackson, Mississippi 39236, has a commercial

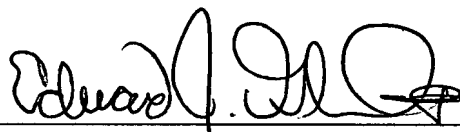
metering product on the market that infringes upon the above referenced patent because such metering product includes an internal whip antenna that is under glass. Copies of the pertinent screens from SmartSynch's web site describing such product are attached hereto as Exhibit A.

2. I have made a rigid comparison of the infringing device marketed by SmartSynch, Inc. with the claims in the above referenced patent application and, in my opinion, some of the claims contained in the patent application are unquestionably infringed.

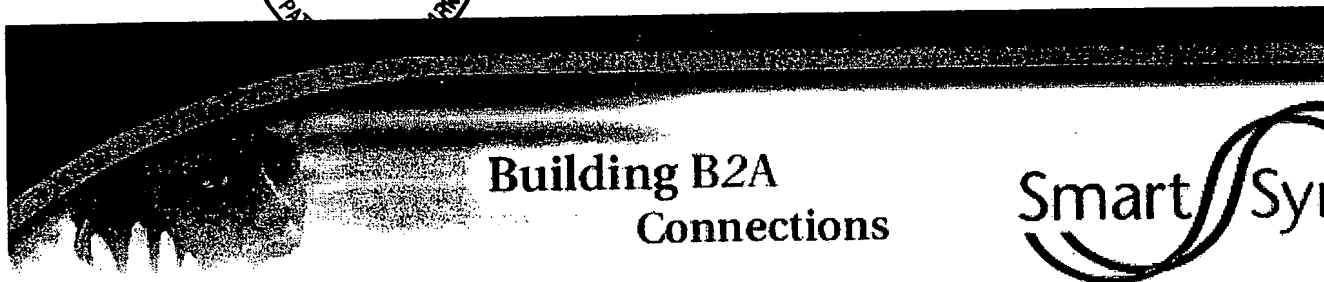
3. I have made, and have caused to be made, a careful and thorough search of the prior art and I have a good knowledge of the pertinent prior art.

4. The device that I allege infringes this invention was first discovered to exist on May 2, 2001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A handwritten signature in black ink, appearing to read "Edward J. Gleibs, III", written over a horizontal line.

Edward John Gleibs, III

**Meet SmartSynch****Smart Solutions****Smart Meters****Solutions****Features/Benefits****Spec Sheets****White Papers****Case Studies****B2A Alliances****News Room****Join Our Team**

**THE SMARTSYNCH ADVANTAGE** | [Download the PDF Version \(442K\)](#)

**WIRELESS NETWORKS:****SkyTel Two-Way:**

- The lowest cost two-way wireless data network
- Secure and reliable- guaranteed message delivery
- Simulcast communication- multiple transmitter & receiver network gives supe penetration
- IP addressable which empowers all Spectrum meters and field devices as no Internet

**AT&T CDPD:**

- Allows for broader coverage in rural areas

**COST OF OWNERSHIP:**

- Reduced risk scalable system architecture
- Lowest life cycle cost available today
- Network airtime charges- extremely competitive
- Cost displacement payback can be less than two years
- Public networks mean less cost and risk by sharing infrastructure costs with commercial users

**METER/DEVICES:**

- Siemens Spectrum S4 Meter
- All components "under-glass"
- "Plug 'n Play"- simple and cost-effective to install
- RS-485 group connectivity
- Wide voltage range & self-diagnostics
- Spectrum meters are wireless IP devices and are "always on" and "always cc the wireless network and Internet
- Motorola Creatalink 2XT Transceiver- field proven WAN gateway device with economies of scale and high reliability

**TRANSACTION MANAGAEMENT SYSTEM:**

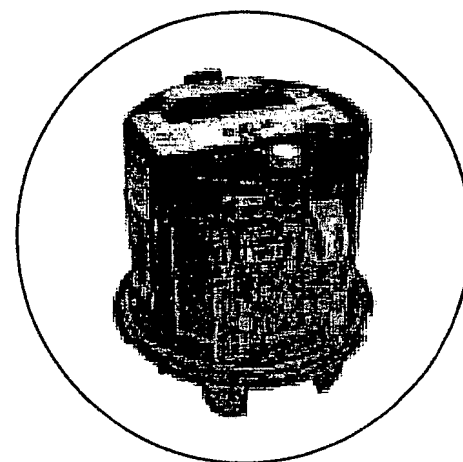
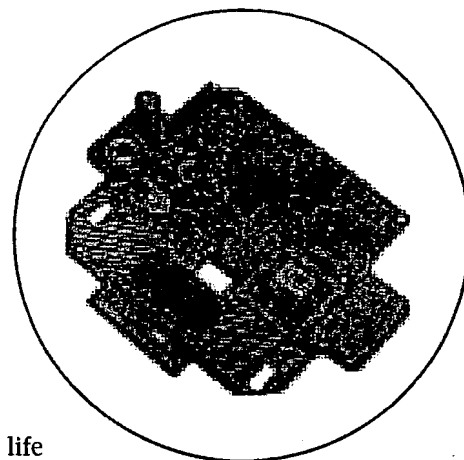
- Intuitive and user-friendly Windows NT head-end software

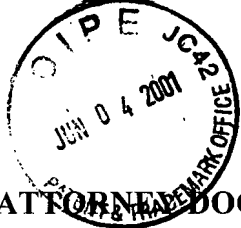




# INTELLIGENT Interface Client

Operating Temperature	-40° C to + 85° C
Power Supply Requirements (Normal Operation)	70-150 mA current limited for battery charging
Battery	1.3 Ahr Gel Lead-Acid
Battery Capacity (module operation in Outage)	
• Normal Outage Operation	15 hours
• Disaster Power Mgmt (standard)	6 days
• Disaster Power Mgmt (kill power shutdown)	30 days
Battery Connector	Park position for extended shelf life
Battery Recharge	36 hrs complete recharge from dead battery
Processor	PIC 17000 Series
RAM	8 KB
Flash Memory	48-64 KB Field Programmable
Ad Hoc Buffer	8 KB
EEPROM	Programmable Parameters
Meter Port Requirements	0-5 V Serial
Pager Port Requirements	TTL Serial
Input/Output	Monitors all S4 KYZ inputs Controls S4 Outputs - factory configuration Optically Isolated Digital I/O (1500V Isolation)
Antenna	Internal: _ Whip (under glass) External: Low Profile Radial Ground Plane Antenna Isolation Circuit for External Antenna
LEDs	Reflect current state of pager module, meter power, and the interface itself





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I, Jimmy L. Heisz, 275 West Campbell Rd., Suite 225, Richardson, Texas 75280, Reg. No. 38,914, Tel. No. 972-480-8800, am the attorney for the applicant in this case and make the following declarations:

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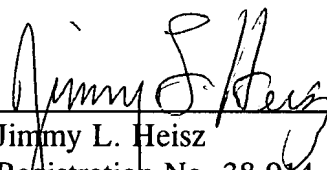
4. That I believe all the claims in this application

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Jimmy L. Heisz  
Registration No. 38,914

Date: June 1, 2001